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TO

SIR JOHN SHELLEY.

On Mr. Stuart Wortley's Game Bill.

Worth, Sussex, 16th March 1824.

SIR,

You, I perceive, stand forward the champion against this famous Bill, which will, I dare say, be matter for talk for many years to come. The subject seems so trifling as to make it a shame for me to attempt to call the attention of my readers to it. But, when we consider, that it was, in the debate, in the House of Commons, of the 11th instant, on which occasion you took the lead against the Bill, *acknowledged*, that a *fourth part* of all the prisoners in the country were in prison on account of the game, and when the *fact* is, that more than a *third* of all the prisoners are in prison on that account; but, more especially, when it is considered, that there are, every year, numerous

persons transported, some actually hanged, many killed or maimed; when it is known that the Game Code is the most sanguinary, in comparison with its object, now known any thing of in the civilized world; when these things are considered, this game subject cannot be looked upon as *trifling*.

You are opposed to the Bill: so am I: but for very different reasons. You object to it because it will, you say, put an end to rural sports, by causing all the game to be destroyed: I object to it because it extends the list of game; because it violates every existing lease in the kingdom; because it is partial in a shameful degree; because it is oppressive to the farmer and the small landholder; because it aims at giving to the aristocracy a monopoly of the profits arising from the huckstering traffic in game; because it does not remove any part of the cruelty of the present law; because it, in fact, makes that law more severe than it is, by enabling the *Justices* at Quarter Sessions

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(instead of the *Judges* at the Assizes) to sentence poachers to *transportation*; and, finally, I object to it in common with you, because it would, in spite of all its violences and intended restraints, *totally destroy the game, and change the character of country life in England.*

On the *injustice* of the measure I have remarked in my last Register. I now propose to make a few remarks on its follies and on its *revolutionary* character. You gentlemen of the *Collective Wisdom* are an odd set of gentlemen. You cry out against Jacobins and Spenceans and Radicals and Reformers of all sorts; you condemn their projects; you, even in King's Speeches and the answers to them, inveigh against "*designing men*," aiming at "*revolution*." Odd gentlemen! Gentlemen of singular taste! Hang others for aiming at "*revolution*;" but *quite ready to make a radical revolution yourselves!*

You have, as Mr. Baring says (and he understands the matter), made a greater revolution in property than was made by the French revolution: and this you have done under the name of *national faith*.

Under the name of giving *freedom to trade*, you have laid the

train to the naval power of England, who will never again (in the face of *free trade*) think, I suppose, of enforcing the *right of search*! Here is a revolution indeed!

By the *School affair*, and in order to promote "*Christian Knowledge*," you have done more than even your most bitter foes ever thought of.

You have not been able to keep your hands off *your Church*. A *little more force* in the way of producing "*composition*," and that fabric will totter.

By the *Game Laws* you have brought things into such a state, that it seems now to be impossible that you should avoid some measure that will be *revolutionary*; aye, and more completely *revolutionary*, too, than all your other measures put together; for, be you assured, Sir, that, though this Bill may be rejected, *something* must be done to put a stop to the imprisoning, the transporting and the almost civil war, now going on in order to uphold the present system of Game Laws.

Go on, then, obliging gentlemen, and *make the revolution yourselves*! You will, at your present rate of going on, not be long at it. Make game *saleable*, and

the day-labourers will soon spit upon the owners of that game. The more partial, the more unfair, the more odious the law is, the more revolutionary it will be. Repeal the *qualification*; or, rather, *do that away*, take away that kind of *privilege*, and erect a *property* in wild animals in lieu of it, and the minds of the country people will, with regard to the nobility and gentry, undergo a total change. Nothing but the dread of the gaol will restrain them from kicking and cuffing such mean and despicable hucksters.

But, Sir, the law cannot remain as it is. You like it, you say, because it has *made game abundant*, and because *nobody but poachers* dislike it. It has, perhaps, made game rather *more abundant* than it used to be; but, there are many besides poachers, and, indeed, almost the whole nation, that complain of the *new and sanguinary* part of this game code; and, Sir, again I say, this code *must be changed*. The public never can long submit to have to support, on an average, 1500 men in prison, and about 6000 women and children out of prison, for the sake of preserving the game, when that same public, generally speaking, do not enjoy, and dare not enjoy, any part of that game.

The Ministers appear to be for this Bill, or for some Bill, in order to put a stop to the imprisoning and the bloody fighting that are going on, and that are so disgraceful to the Government, and form such a contrast with the state of things in France. Between the Ministers and you game gentlemen, the case stands thus: You say, the laws, as they are, are very good; we have plenty of game; and, as to the poachers, what are they for but to be punished? If you change the law, we shall have less game; if you make it saleable, we shall have none; if you take away the *qualification*, you take away the great *practical distinction* between us and the stock-jobber and merchant and manufacturer, and thus you take a sweeping stroke in the work of levelling.

To this the Ministers answer, That they wish you to have plenty of game; that they by no means wish to lessen your dignity in the eyes of the common people; but that, this abundance of game and this support of your distinction are now purchased at too dear a rate; that they (the Ministers) would do much in order to make the country agreeable to you to live in; but that, if to do this, they must constantly fill a

third part of the gaols and cause thousands upon thousands to be made paupers, they cannot see what advantaye the country derives from your living in it! And that, all this time, the Government is disgraced by the horrible severities of this code.

But, you will say, why complain of this code now? Because it is *new*; because it has risen up since PITT and ADDINGTON and PERCEVAL and JENKINSON and the late ELLENBOROUGH came upon the stage of power; because, before their time, the law was comparatively mild; because those Acts of Parliament, which have sent so many men into *condemned* and *black regiments*, and to Botany Bay; because those Acts, which have caused such bloody fights and have actually produced so many deeds that have been avenged by the *gallows*; because those Acts, which, mind, are now doing all the terrible mischief; because those Acts never existed in England, until PITT and ADDINGTON came into power.

And now let us trace *your present danger* to its real source. What you say about the *total destruction of the game by this Bill*; about the *degradation of the 'squirarchy*; about the *loss of your*

present distinction and privilege; these are true; but whence the necessity of doing this to you? Whence the necessity of stripping you of your distinction? Before "anti-jacobin times" you enjoyed your distinction in tranquillity. How comes it, that the poachers seem now to be in a fair way of beating you out of the field? How comes it to have been proposed to *your House*, and by one of yourselves too, to strip you of your *only distinction*, and to enable a poacher, with a sack of hares in his house, or on his back, to laugh in your face? How is it that this thing has come upon you? Whence this necessity for a revolution? If, at the outset of the *anti-jacobin war*, any one had said, "Great 'Squires, if you do not bleed freely in this war, the jacobins and levelers will succeed, and they will abolish all the qualifications for killing and pursuing game; they will make it saleable at the poulters' shops; they will enable a poacher to swagger along with half a dozen hares upon his back." If any one had said that these would be amongst the consequences of not going into a long war against revolution, would not the whole of the 'squirarchy have vaulted into their

saddles and drawn their swords ? Why, they were told, that such would be amongst the consequences of their not bleeding freely in the war *against revolution*. They were told this ; and this was one of their motives for being so willing to fight for PITT, DUNDAS, "social order and our *holy religion*." The lords were told that they would lose their *titles*, the lawyers that they would lose their *wigs and fees*, the parsons that they would lose their *tithes*, and the 'squires that they would lose their *game*. And thus were they all united in support of "the *altar and the throne*;" and all were ready "to spend their last shilling "and the last drop of their blood "in defence of their King and "their God."

Well, Sir John Shelley, is it not strange that the game should be going away from the 'squirarchy now that they have so completely succeeded in supporting "social order and our *holy religion*" ? Is it not odd, that they should now be in danger of losing the whole of the game, that great cement of "*social order and holy religion*" ? What have they fought for, then ? Why did they *conquer France*, if they be now to lose the game ? Why, to lose the game is *revolution*. Aye, that it is, and thorough-

going revolution too. Whence, then, comes it, Sir John Shelley ?

The history of this game revolution is this : there can be little doubt, that the 'squirarchy always wished for laws as severe as the present relative to game ; but, until the days of PITT and the cry against *jacobins*, the Government did not attempt to pass any such laws. Having got the nation into a state that enabled them to do what they liked with it, these terrible laws were passed. If any man opened his lips against any act of the Parliament or Government, he was called a *jacobin*, and he was lucky (however recluse his state of life) if a nickname was all he had to endure. To create new restraints and to harden the law became very easy, when to talk of the *rights and liberties* of the people, when barely to mention them, was regarded as a mark of *disloyalty*. It required the country to be in a hellish state like this before it could have been made law to *transport men for seven years for being in pursuit of wild animals*.

Thus was this law passed ; and this law it is, that has caused the far greater part of the imprisonments and misery, and all the bloodshed, which have, of late, been, and which still are, so ter-

rible and so disgraceful. However, the natural tendency of the law has been greatly assisted by the circumstances of the times, and these circumstances, too, have proceeded from the same source as the law itself. The terrible law had filled the country with game; but the anti-jacobin war, the Pitt and Addington and Percival and Jenkinson war, had made a DEBT; that debt squeezed the 'squirarchy; the 'squirarchy fell upon the farmers; the farmers fell upon the labourers; and the *labourers fell upon the game!* Other labourers, half starved, enlisted under the 'squirarchy to defend the "social order" of game. Hence the battles, the maimings, the cuttings, the knockings in the head, the transportings and the hangings, the 1500 prisoners and the 6000 paupers, annually made in order to uphold the "social order" of game.

But, far are these from being all the circumstances, arising, too, out of the same cause. Many of the 'squirarchy, pressed by the DEBT, contracted for "social order," became (as the evidence taken before a Committee of the House of Commons amply proves) *poachers themselves!* They, in fact, sold, and still sell, their game to the Jews who were, and who

are, *taking their rents in the way of payment for money advanced to carry on the war against revolution!* Good! But, still better; the whole of the influence of the DEBT, which was, mind, contracted to oppose revolution, is now employed to do away the game qualification. And, which is best of all, the measure, this great change, is recommended by the Jewish influence, on the ground of its having been found to be productive of such happy effects in France!

A word in your ear, 'squires: Don't you begin to think, that you might as well have consented to a reform as to have contracted this Debt to prevent it? That is the fact, mind. The main, and, indeed, the sole, object of the DEBT was to prevent reform in England. It was prevented; but a revolution is going on in its stead; and a revolution, too, far more violent than could have been effected by radical reformers.

Signal punishment; not only great, but the most appropriate punishment, appears to be reserved for the boroughmongering crew and their supporters. The weakest always go to the wall first. The miserable mortgaged-up, game-selling 'squirarchy, will soon fall; but the big ones will follow; and,

in the end, piecemeal more completely than by a convulsion, the whole will be put down, trodden upon, and utterly degraded. Upon this occasion there is a natural union between the poachers and the Jews against the game-owners. These latter begin to be *laughed at*; and, after men begin to be laughed at, they do not long enjoy any real authority. They have now three bodies to fight against : the *Jews*, the *poachers*, and the *paupers*. They cannot fight here by the means of *Olivers*, *Edwardses*, and *sixteenths of August*. Millions look on this fight with great interest ; but not one of all the millions with more interest than,

Sir,

Your most obedient and
Most humble Servant,
Wm. COBBETT.

P. S. I see that the *feelosefers* of the London Jew press *highly approve* of the Bill. They do not know what it is ; but, they think, that its object is to put a *pheasant* upon a legal level with a *fowl*, and to put the *'quires* upon a level, in society, with *stock-brokers* and the like. This is what they think ; and this is enough for them, their constant endeavours, or, rather, their habits, being to hoist up the Jewish tribe in all sorts of ways.

It is very good to bear in mind, that this "*loyal*" and most stupid and very base press was the great *champion* of the *boroughmongers* and the *'squirarchy against the reformers* ; and now it is labouring constantly and most zealously to strip them of their estates and their game.

P. S. 2d.—**TRANT, KENT, 17th March 1824.** I have, to-day, come along the skirts of the forests, from WORTH to this place ; a distance, on my serpentine route, of about 30 miles. I have made many inquiries ; and the result is, a firm conviction that, if Mr. FREDERICK ROBINSON's Parliament, to whom he gives all the MERIT of producing the present state of things, and who CHEER him for the judgment with which he distributes his praises ; if this Parliament ; if this Parliament of Mr. Frederick Robinson, should, following up the almost unanimous vote of the House ; if it should finally pass this Bill, I venture to say, that, since the dawn of law and of order, such confusion, such uproarious confusion, such laughter, such contempt, never..... stop, though ! I had forgotten the MARRIAGE-ACT, which Mr. Frederick Robinson's Parliament did, *in its wisdom*,

pass in 1822, and, in its *greater wisdom*, repeal in 1823!

This Bill of Mr. STUART WORTELEY will certainly be an imperishable, or, to use the words of BURKE, "a stupendous monument of *human wisdom*." Pitt wanted the history of his *Sinking Fund Bill* to be inscribed on his monument. That fund was called a *humbug* by me *twenty years ago*; and, for some time, it has been called a *humbug* in the very House where he talked of his monument! Let us hope, that this *Game Bill* will experience a different fate; for, it would be a pity indeed, if those who have bawled so long and so loudly for the putting down of radicals, should not themselves be put down, and that, too, by schemes of their own applauding.

It was observed, during the debate, and by Mr. PEEL too, that there are now opulent *merchants* and *monied men*, who have *no qualifications*, and who *ought to have them*! Indeed? Then there is the *revolution*; there is an end of *landed predominance*; Jews will be *Justices of the Peace* next; and why not? When were there not opulent *merchants* and *monied men*? There were always such; but, they *never were masters till now*. Now they tread the

'squirarchy down; and God be thanked for it! It is sweet revenge for us, who were the objects of Sidmouth's *Circular* and the *Six Acts*.

One *Squire* is reported to have said, in the debate, that the Game Laws were *a relic of the Feudal System*, and *not suited to the present age and state of society*. This *Squire* seems to have forgotten, that *the part* of the Game Laws, which causes nineteen-twentieths of the imprisonments, and that causes *all the transportations, hangings and killings*; this *Squire* of Mr. Frederick Robinson's Parliament has forgotten that this part of the Game Laws comes from no *feudal times*; that it arose in the days of "*England's good old king*," though it was *not mentioned* by Mr. SCARLETT when he was *defending* Mr. JOHN HUNT, when the latter was tried for publishing the famous dialogue between the Devil and Saint Peter. The *Squire* in question should have recollected this, and not have ascribed to "*feudal petty despots*" that which never existed until the days of Pitt, Dundas, Addington, Perceval, and Jenkins, that which never existed until after "*humane*" JAMMY began to make a clatter about *softening the criminal code*!

The fact is, that the Game Law relics of the feudal system are very *mild*, quite unfit for the present system. These relics know nothing of *transporting* on account of game, nor even of *hard labour*. So that this will not do, Squire. It is the *Pitt-crew law* that we want to get rid of, and not of the "relics of the feudal system."

But, Sir, do mark how Mr. Frederick Robinson's House has *changed its tone!* It wants to get rid of the relics of the feudal system now! How many men have been ruined, and how many actually *put to death*, for writing, speaking and acting against "the relics of that system"? This 'Squire forgets, that all manorial rights; that fines, heriots and quit-rents; that charters of fairs, markets, and many other charters; that the rights of inheritance and primogeniture; that, in short, the *titles of the Peers* and the *title deeds of the lands*: that *all* these "are relics of the feudal system." Be cautious, then, good 'Squire, how you rail against these relics.

The truth is this, Sir: this 'squire sees; . . . he cannot, perhaps, *see much*; but he sees enough to convince him, that the game-qualification; that this great and most cherished and most valued and most doated-on privilege

of the land is now about to be taken from it by the Jews and Jobbers. The 'squirarchy sees this; it sees that it cannot hold the thing much longer; and now the 'squirarchy itself begins to cry out against the relics of the feudal system, after having, in order to preserve the *rottest* and *most hellish parts of that system*, huzzaed the spending of *hundreds of millions of money!*

I do not care (for my own part) a single straw what becomes of the Bill, as a *Game Law*. The last year's project was singularly favoured: a lord seemed to die for the express purpose of letting the Bill get silently to its grave. God forbid, that the present Bill should have such luck. It is in hands the candle held by which we must not, and *I will not*, suffer to be put under a bushel. This Bill comes, too, so opportunely on the back of Mr. Frederick Robinson's crying up his parliament. This parliament has read the Bill TWICE; let that be remembered; and by a *vast majority* too! Above all things, Sir, I beg that it may be remembered; I beg that the great enemy of reform, Mr. CANNING may remember, that this Bill, which strikes at the very foundation of all the *rights as well as privileges*

of the landed gentry; that this Bill, which proposes to rob the farmer to give to the landlord, in order that the latter may surrender the thing to the Jews and Jobbers; that this Bill, which, in fact, proposes to make a *levelling and degrading revolution*, was not proposed or supported or countenanced by any reformer, and especially by

W.M. COBBETT.

PRACTICAL BOTANY,
OR,
THE TRIAL OF SWEET,

*Who was indicted for receiving
stolen goods, knowing them to
be stolen.*

THIS Trial, which took place at the OLD BAILEY, on the 24th February last, is worthy of great public attention, on account of the *result*, and also on account of the unusual conduct of the *Jury*, or, at least, of a part of that *Jury*. SWEET's friends have got him restored to their longing embraces; but, let them have him with all the *evidence* of this case along with him. Since my last article upon the subject, I have heard a great deal more about this trial, and the manner of it, than I had

heard before. By the bye, how came the *Bow-street examination to be suppressed?* This is a very curious matter. The London press is everlastingly boasting of the great *utility* of its *reports* of judicial proceedings, and especially of proceedings at the *Police Offices*. It is everlastingly boasting of this; but to be *useful*, it must be *impartial*. It must not *suppress*. Surely, this was a case to be noticed? If a dealer in old clothes be brought up for *receiving stolen goods*, the *zealous* press gives us all the particulars. But, in the case of SWEET, though here was a robbery of the King's hothouses, the *faithful* press gives us not a word? Dares the *faithful* press show its books, and tell us *how much it received for the suppression?* It dares not; for then its infamy would stand confessed.

The *trial at the Old Bailey* was too much wholly to suppress; but, the garbling has, I find, been monstrous. This renders it the more necessary for me to put the matter upon record in as full a manner as my information will enable me to do it. A report of the *evidence* I have from a gentleman of the *legal profession*; and, it is the *evidence* that we have to look at. It is by that that we must judge of

the conduct of the *Jury*, and that we must regulate our opinions as to the *verdict*, or, rather, the *finding*.

The CASE was this: There is, at Kew, a great collection of plants of all the countries in the world. These plants are kept in a garden, called the *Botanical Garden*, and some of them in houses, heated to the degree necessary to the life and health of the plants. There are several of these houses; and the plants in them, which are of various sizes, from, perhaps, twenty feet high to two inches high, are all in tubs or pots.

These things are, of course, under the care of the King's gardener, whose name is EATON. He has, it seems, a foreman in this garden, whose name is JOHN SMITH. On the morning of the 29th of January last, Mr. Smith missed six *plants* and their pots. Upon inquiry it was found, that the plants had been put into a box by one HOGAN, an under-gardener; that the box had been sent, by him (through the hands of a workman in another part of the gardens), to a coach-office; that the box was directed to SWEET; and that it was booked at the coach-office, agreeably to that direction.

Application having been made, by Mr. Eaton or Mr. Smith, to the Magistrates at Bow-street, an officer, named RUTHVEN was sent with Mr. Smith, to endeavour to recover the plants from SWEET; but, mind, before this application to Sweet was made, the officer had ascertained, from the coachman himself, that *he* had actually, and with his own hands, *delivered the box into Sweet's hands!*

But, now, before we go any further, *where* was this SWEET, *who* was he, and *what* was he? He was living at Mr. COLVILLE'S. And *who* and *what* is this Mr. COLVILLE? Why, he is a sort of *flower* and *exotic* nurseryman, living on the side of the King's-road at Chelsea. His house is but a short distance from Sloane Square, and is nearly opposite the Military Asylum Barracks. It appears, that he has another nursery (called Grosvenor Nursery) besides this; but, in this place, he has an immense extent of places, covered with glass. SWEET represented himself, and was represented by another witness, as the *foreman*, or *manager*, of Colville, and as having none of the money for which plants and flowers were sold at Colville's.

SWEET appears to have been residing at Grosvenor Nursery,

and to have been there at the time when Mr. Smith and Ruthven paid him the visit, which was about ten or eleven o'clock in the night of the 29th of January. When they first came to him and asked him (Ruthven seems to have been spokesman) about *the box*, he *hesitated*, and, at last *denied having received it*. But, after another word or two from Ruthven, he *confessed that he had received it!* Impossible to read this without thinking of Don Raphael's remark respecting the surprising influence of the *alguazils*. "I do not know how it is," said this great *practical* Spanish philosopher, "but these people have such power in their very looks, that our brass deserts us, and we dare not lie in their presence."

Having got an acknowledgement, that the box had been received, the next thing was, to get this receiver *to surrender* the stolen goods, which he promised to do. For this purpose, the parties set off to go to Colville's, where the box and the plants were. It is about a third of a mile from Grosvenor Nursery to Colville's. As the parties went along, Sweet acknowledged that he *opened the box*, but he said that he did not know *how many plants were in it*.

Arrived at Colville's, and got into this "*practical*" gentleman's presence, a scene, the equal of which has been, I should think, seldom witnessed even by Townsend, though he has, perhaps, caught more criminals than any man that ever existed. As soon as Colville knew who Ruthven was, and what was his business, he (addressing himself to Sweet) said, "*You know nothing of any such box: I know nothing of any thing of the sort.*" Upon this Sweet *denied that he knew any thing of the box or of the plants!*

Ruthven then *handcuffed Sweet*, and sent Mr. Smith for a coach to take him off in. After he was handcuffed he *reconfessed*, and told Ruthven that he would *show the plants*. He finally did show them, or, at least, showed the officer and Mr. Smith into the hot-houses of Colville, where the plants were found. They were identified by Mr. Smith, and taken away by Ruthven.

This is the history of the transaction; and, if the whole of this be *true*, be unquestionably true, be proved *beyond the possibility of doubt*, can this Sweet have been *acquitted*? Can the Jury have declared him *not to have been guilty*?

The offence of Sweet was FE-

LONY; for, by an Act, passed not long ago, it has been made felony to receive stolen goods of value above forty shillings, knowing them to have been stolen. Here, then, stood this man, a true Bill found against him, and arraigned for felony.

Now, then, let us hear the witnesses for the prosecution. They were Mr. SMITH, the foreman at Kew; the Officer, RUTHVEN; MARY NORTH, the woman at the coach-office who booked the box; THOMAS OAKSHOT, who carried the box from the coach to Sweet; CHARLES NOYCE, who received the box from Hogan and took it to the coach.

JOHN SMITH (foreman at Kew) stated, first, his missing of the plants on the morning of the 29th of January; then, that he went with Mr. Eaton to Bow-street: that he went with RUTHVEN to Sweet's dwelling in Colville's nursery; that RUTHVEN said to Sweet, "I am Ruthven from Bow-street: I want a box you received this morning from Kew Bridge;" that Sweet was evidently much frightened, and hesitated for a minute or two without answering; that Ruthven said, it was useless to hesitate, for that one of two things, either he must have the box, or take him (Sweet) to Bow-

street; that Sweet then said he would go and show Ruthven the box, which, he said, was at Mr. Colville's; that the three (Ruthven, Smith, and Sweet) then set out to go, and went, to Colville's house, which adjoins his nursery-ground; that here Colville appeared, and that Sweet asked him for the box "that came this morning from Kew." [Here the Judge, Mr. Justice Best, asked for the *exact* words used by the Witness]; that, before Colville could answer, Ruthven stepped forward and gave his name and business; that Colville said, "I know nothing of such a box, nor do you (addressing himself to Sweet) know any thing of such a box;" that, hereupon, Ruthven said, that it was useless to deny it, seeing that Sweet had brought him here to show him the box, which he would search the whole place for; that Sweet now joined Colville in denying any knowledge of the box; that, upon this, Ruthven told the witness to go and fetch a coach, in order to take Sweet to Bow-street; that the witness brought the coach to within about twenty yards of the door; that he found Ruthven and Sweet at the door of a house in the nursery, called the Sand-house; Colville had a lighted lantern in his hand; that the door of the Sand-

house was locked ; that, after some delay, Sweet produced the key ; that the box was looked for here, but was not found ; that we now (Sweet, Ruthven, and witness) went into a hot-house, full of plants ; that Sweet pointed out a plant or two ; that, pointing to one of these, witness said, "We lost *that a fortnight ago*, but I am *not looking for that now* ;" that Ruthven desired witness to look at the plants in a spot towards which he (Ruthven) had seen Sweet cast his eye ; that witness here found two of the stolen plants ; that then witness said to Sweet, "*I want Banksia Grandis* ;" that Sweet found this in an adjoining house, and witness immediately recognised it ; that, after this, went into other houses, and found other of the stolen plants, which were pointed out by Sweet ; that, after this, witness asked for the remaining plants, and, with some little delay, they were all found by Sweet ; that the witness recognised all the plants ; that they had been (after they were stolen) taken out of the Kew pots, and put into larger ones ; that he (the witness) had no doubt whatever as to the identity of any of the plants ; that he considered the three plants (two of the stolen plants), called **CALAMUS NIGER**, **SEERAH KOAH**,

and **BANKSIA GRANDIS** as plants that were *nowhere in this country but at Kew* ; that (in explanation) the last-mentioned plant *might* be in the country otherwise than at Kew, seeing that a plant of that kind had been stolen from Kew about two years ago ; that the plants (which were produced in court) had been kept at Bow-street ; that their present unhealthy state was owing to this ; that the witness saw nothing of Hogan after Friday, 30th of January ; that wages were due to him from the previous Monday ; that these (pointed to them) are plants only at Kew.

Cross-examined by Mr. Alley.—

That Mr. Eaton is head gardener at Kew ; that witness saw him to-day ; that he does not know whether he be here ; that Mr. EATON has the disposing of plants ; that he sends cuttings away ; that this is a constant practice ; that he does not know under what authority ; that they (at Kew) received communications sometimes without advice ; that Sweet is a managing man for Colville ; that witness does not know, of his own knowledge, that Sweet is nothing more than foreman at Colville's ; that Grosvenor Nursery, and the other nursery are both Colville's ; that the

witness did not say *Brentford*. [Mr. Alley begged the Jury to remember this answer; but the Judge referred to his notes, and said that the witness was correct]; that Colville said to Sweet, "you know nothing of the box, and I know nothing of the box." [The witness here said, "but this was before Sweet was handcuffed." Mr. Alley then said, that witness had kept back part of the truth; but witness said he had not been questioned on this point before; and the Judge said this was correct.] That the witness named the plants, and that Sweet produced them, but not till witness had found two of them himself; that witness allowed that he might have been in error as to one plant, but that this had nothing to do with those in court; that they have, at Kew, mould of their own composition for plants; that they leave plants for a week without removing them [recollect your oath, said Mr. Alley, who then asked, how long they left plants, but this question was objected to by the Judge]; that they selected situations for plants; [Here a Juror asked whether witness ever sent any cuttings to his friends, but the Judge would not suffer the witness to answer.] He was then asked, "Are you allowed to

send cuttings to your friends?" and the answer was, "No."

J. G. RUTHVEN, (Bow-street Officer,) examined by Mr. LAW.—Said that he went with Mr. Smith on the 29th of January to Chelsea, that he there saw the prisoner, Sweet, and told him who he was, and that he was come for the box that he, Sweet, had received that morning from Brentford; that Sweet hesitated, but said he had received no box; that on threatening to take him to Bow-street, he acknowledged he had received a box, and would show it. It was a box that was talked of at this time. The witness, Mr. Smith and the prisoner then proceeded to Mr. Colville's, and, on the way thither, five or seven plants were mentioned; that the prisoner acknowledged that he opened the box, but did not know how many plants it contained; that, on arriving at Mr. Colville's, they saw Mr. Colville, and Sweet addressing himself to him, said, "we have come for the box;" that before Colville had time to answer, he (Ruthven) told his name and business; that, thereupon, Colville, addressing himself to Sweet, said, "you know nothing, &c." and "I know nothing, &c.;" that he (Ruthven) said, Sweet "has brought me here to show it me;"

and to the prisoner he said, "are you inclined to tell me where the plants are;" that Sweet then denied a knowledge of them, and persisted in it, till, being hand-cuffed, and a coach being brought to the door, he again said he would show them to him (Ruthven); that Colville again said, addressing himself to Sweet, "you know nothing of the box;" that they (Ruthven, Sweet and Colville) went into the parlour, it being eleven o'clock at night, while Mr. Smith was gone for the coach; that Colville separated from them, and that witness, fearing something from Colville's absence, hurried Sweet to where he said the plants were, namely, a shed, called the sand-house; that Sweet could not find the key, and that Colville ran about with a candle and lantern, calling out "Sweet, Sweet," and that he added, "you know nothing about the box! Do you know what you are about?" that he (Ruthven) said it would not do, that he would have the plants, and would find something to open the door; that the prisoner, Sweet, then produced the key, and they entered the shed, Mr. Smith being at this time present; that they saw two boxes, but did not think either was the box; that they then went into the hothouse,

and that he (Ruthven) said, that as there were so many plants, it would save trouble if the prisoner would point out the plants at once; that the prisoner pointed to one, and Mr. Smith said "no;" to another, and Smith said, "that plant we lost a fortnight ago;" that he (Ruthven) said again, two or three times, "point out the plants to us and save trouble;" that the prisoner gave no answer, but that, giving the light to Smith, witness desired he would "look there" (a spot to which he had observed the prisoner's eye directed); that Mr. Smith there picked out *two* plants; that they were in the Court; that Smith said there was another; and that the prisoner took them to another house and there found it; that Smith said "there is another," and that Sweet said "did you not get three (naming them) in the first house;" that they both (Ruthven and Smith) said "no, only two;" that they went back to the former house, and Sweet produced the plant; that Smith said, "we have now got them all;" that they then went into the shop, and found the shopman, Durdon, there; that Sweet asked him for the box; that he pointed to one, and said one had been sent away that morning; that they (Ruthven and Smith) did not think it the

right box, as it was too small; that Sweet said that the plants had been in smaller pots; that all, namely, Colville, Sweet, and Durdon, agreed it was the box; that he asked Sweet for the direction, but that Sweet said he did not know where it was; that he (Ruthven) made an attempt to search Sweet, who then produced it (Witness here showed it to the Court); that Sweet got his hand clear of the handcuffs, they being too large; but that he could not say which pocket Sweet took the direction from.

Examined by Mr. ADOLPHUS. There are nail-marks in the direction; but in the lid of the box there are none. The prisoner did not know Hogan on Saturday; but he (Ruthven) told him to be careful of his answer, as an untruth would act against him. The only Irishman in the Botanic Garden. He had seen but had not spoken to him. He afterwards said he had talked to him about plants. The prisoner got at liberty by the false representations of Mr. Colville, but he (Ruthven) apprehended the prisoner again on the Saturday.

Cross examined by Mr. ALLEY. Said that he found Sweet at Mr. Colville's ("therefore," observed Mr. Alley, "he did not attempt

to escape") that Colville has two nurseries, and that Sweet resides at one of them; that the plants were not found at the nursery where Sweet lives; that it was ten o'clock when he (Ruthven) went to the prisoner; that there was no mark on the box that showed it was from Brentford; that five or seven plants were mentioned on their way to Colville's; that *box* and not *plants* was said before; that Colville said to Sweet, "You know nothing of such a box, I know nothing of such a box." Mr. Alley here asked, why not take up Colville? Because (said the witness) the box was directed to Sweet, (and here the counsel of both sides held some argument.) In continuation, Mr. Alley asked, why take up the servant and not the master? Witness answered, there was Smith, with the box and plants in the coach with himself and Sweet. Mr. Alley: "then you did not take up Mr. Colville because there was not room in the coach" (a laugh). The witness said further, that the plants were taken to Bow-street; that they were under his custody; that bail was offered by the prisoner but refused; that Colville was accepted as bail; that the plants were not pointed out by the prisoner till

after Smith had found two of them; that he (Ruthven) asked the prisoner to find them, but that the prisoner did not volunteer to do it; that he did not find them at first, nor did he (Ruthven) say that the prisoner found them at once (Mr. Alley here charged the Jury to remember this answer: but they agreed that he did not say so). A question was here started, as to whether this witness had said *the* plants or *two* plants; but on reference to the Judge, his Lordship determined it had nothing to do with those plants in Court, they being only pointed at, and not selected and brought away. Witness went on to say, that the cover of the box had not been brought; that he left it at Mr. Eaton's house at Kew; that this might be a prosecution from Bow-street; that possibly Mr. Stafford (the Clerk to the Magistrates at Bow-street) might have prepared the indictment; that it did not rest with him that no indictment had been presented against Sweet's master, Colville. The Judge here observed, that there might be a fault with the Magistrate, but as he was not present, he had nothing to do with that. The cross-examination being continued, the witness said that there was one Irishman in the

Botanic Garden. The witness was asked, is it the business of a Police officer to cross examine a prisoner and make use of the answers against him; but the Judge did not allow this question to be pressed. The plants were found among many that were around; the witness did not observe any like those in Court, and none of them were found in Sweet's house.

Re-examined by MR. ADOLPHUS.—He said that the box could not contain the plants. He (Ruthven) knew nothing of Mr. Colville.

MARY ANNE NORTH examined, and said that her husband keeps the Wagon and Horses; that Limpus's Isleworth coach stops there every morning; that she gave the box to this coach on the 29th January; that Noyce brought the box; that that is the direction the box had; that she knew it, for she booked the box; that this was her book (showing the book, which the Jury and Court examined); that she gave the box to Oakshot, who was on the coach.

THOMAS OAKSHOT, sworn, said that he received the box (here he identified the direction that Sweet had pulled out of his pocket on Ruthven's attempt to search him); that he went on to the White

Horse Cellar, Piccadilly ; that he got on a Fulham coach ; that he got down at the Admiral Keppel, and delivered the box to the prisoner, the same person who now stood at the bar ; that he paid him (the witness) one shilling and six-pence ; that he was in the garden when witness saw him.

CHARLES NOVCE, sworn, said that he was employed at the Royal Gardens at Kew, under Mr. Eaton ; that he received a box from Hogan, and that he carried it, by Hogan's desire, to Brentford, and booked it at the Wagon and Horses ; that he is kitchen gardener, and that Hogan belonged to the botanic garden.

The prisoner was here called on for his defence.

[His statement was from a written paper, which was read, not by him, but by an officer of the Court. It was given him, before the trial began, by a person who pointed out several parts of it to him, which Sweet looked at with great apparent anxiety.]

He professed to have suffered much both in body and mind, in consequence of the present proceedings against him, and then he proceeded to assert the improbability of his committing felony without any assignable motive for his so doing. He protested he

had no property in Mr. Colville's concern, nor was he interested in the sale of the plants ; and he ran no risk in the success or failure of them ; his occupation at Mr. Colville's was merely that of making arrangements. He had many hundreds of plants sent him without advice ; many coming to him individually, and many to Mr. Colville. The plants in Court were of doubtful identity. They were not rare plants, for many of them were in other collections. Mr. Smith had erred : the plants were transplanted in the common course of cultivation ; they were openly exposed in Mr. Colville's premises, and were not near the house he resided in. They were of no great value. He admitted the fact to the officer, but was ignorant of the whole transaction. He could have no interest in exposing himself to risk, for the advantage of another. He was only Mr. Colville's manager, and he acted as he had done before. Was it likely, that, for the sole advantage of his employers, he would endanger his character, which had never before had the slightest imputation cast upon it ? Plants were frequently sent him for drawings, &c. &c.—This statement having been *read* to the Court, the note-taker found his

utmost activity defied, he, therefore, pretends not to give it word for word; but a mere enumeration of the topics on which the prisoner relied is something.

A Juror wished Mr. SMITH to be recalled. Smith did not know whether Mr. Eaton was in Court. The gardeners are not permitted to send plants away, nor was he. Questions put to Smith by the Juror: Have you never sent plants away? (The Judge desired the witness not to answer this question). Is Mr. Sweet an author? Yes. Is Mr. Eaton? Yes. Has not Mr. Sweet, in one of his works, called Mr. Eaton a dunce? Mr. Eaton has been called that, in a late publication, but I never knew Mr. Sweet was the author of that work. What is the work? The Botanical Register.

(Mr. Alley said he would prove it.)

Examination of SMITH continued by the Jurors. Do you not know that these plants were sent to Mr. Sweet to entrap him? Answer: I have no idea of such a trap. (The Judge put this question again to Smith, first reminding him of his oath, when Smith declared he knew nothing of such a trap, and that he did not believe it to be one.) Do you know where Hogan is? Answer. I do not.

Witnesses for the Defence.

THOMAS DURDON deposed that he had been twenty years with Mr. Colville; that Sweet, the prisoner, had been five years under the same employer; that Sweet is author of the Botanical Register; that plants are repeatedly sent unexpectedly; that it is a constant practice; that they have a particular soil for their plants, and

that they change the soil of all plants that arrive at the nursery; that the plants in question were at the nursery Mr. Colville resides in; that the plants are open to public examination, and that there are many visitors to Mr. Colville's nursery.

Cross-examined by MR. ADOLPHUS.—Said we receive as many as seven in a box without advice; that they attend to them the same day if possible. That they have not so many visitors in January as in May, June and July; that he (witness) does not reside at the nursery, but is employed day and night at it. Name, said MR. ADOLPHUS, one plant that came without advice. The witness could not. What is the value of these plants; can you form any judgment? Answer. I assist in selling plants: these are all dead. But, when fresh, are they worth one pound, or five pounds? Witness could not say. Can you name an instance of a plant coming to you without advice? (The witness named an instance, but it proved to have occurred since the search on the 29th January.) It was an Indian plant named *cannus*. Witness did not know whether it was valuable.

WASEY WISKEY, examined by MR. PHILLIPS, deposed as follows: that he has been gardener with Mr. Colville for 13 or 14 months; that he is under Sweet's direction; that he has known many boxes come to Sweet, and pots and plants also; that Sweet is an author and is well known; that plants are sent for experiment; that they place them in their proper temperature, and change the mould; that the more valuable the plants, the more attention is

paid them; that they have the same as these (alluding to the plants in question.) The Counsel here requested witness to name the plants they had, when he named *Gustavia*, *Banksia*, &c. Colville takes all money, Sweet being only managing man.

Cross-examined by Mr. Law. Said we have all these plants but one. *Seerah Koah* we have not. The Counsel desired the witness to point him out *Jacquinia*. After a considerable pause, the witness said "I do not know them in their present state." And yet you swore (observed the Counsel) that you had them all. Which is *Calamus Niger*? A pause again ensued, when the Counsel observed to witness, that he had looked long enough at the plants, and that, as he had them all at home, he might, without more hesitation, point out first the *Calamus* and then *Jacquinia*. The Judge said, tell us one of them, reading over the names to the witness, who then picked out *Banksia Grandis*. Examination was then continued. If you do not know them in their present state, how can you say you have them all at home? *Answer.* I know the species, but I do not know the plants. What did you mean by saying, I do not know them in their present state? (a great length of time was consumed in pressing this question, but the joint efforts of both Counsel and Judge could extract no answer.) You receive plants without advice? The answer, after some hesitation, was yes. Witness said, he asked no questions of Mr. Colville; but he knew there was no advice, as he unpacked the boxes.

On re-examination by Mr. Al-

LEY, the witness said, that when boxes are opened no advice appears; that the plants here are not in the same state as they were when in the hothouse; that the plants round about in the hothouse are fresh and green.

WILLIAM ANDERSON sworn, said that he was Curator of the Apothecaries' Garden, at Chelsea; that he is accounted a skilful botanist. This witness was asked to examine the plants in question? and then he was asked — Have you seen any of them before? Answer—All but one. He had seen them in different collections; but the *Calamus* he had not seen. He said they were generally in other collections; that it is customary to receive seeds, plants, roots, &c., without advice as to whence they came; that plants were often sent to puzzle him (the witness); that he considered Mr. Sweet, the prisoner at the bar, to be the first practical botanist in Europe; that he could speak to his character for seven years, and that he never knew a speck of imputation on his character; that Mr. Colville has plants of the same sort as these, saving this one (touching the *Calamus*). Witness said he spoke from the look, without the names.

Cross-examined by Mr. ADOLPHUS.—The witness deposed that it is not customary with them to place in the sale-room the plants that are sent to puzzle them; that he never before saw the *Calamus*; that they do not consider themselves (meaning the Nurserymen generally) obliged to adopt the Kew names; that *Banksia* is a Kew name; that he had seen that plant (*Banksia*) at Mr. Colville's nursery two or three years ago; that the rest of the plants in ques-

tion were commonly sold. The witness was here desired to name the plants, and, accordingly, he, touching one of them, said, "this is *Eugenia*; this is *Jacquinia*; "this is *Bombax putundra*." The last was described by witness as a very common plant, and he went on to say, that, out of the whole number of plants before him, two only were worth taking to the Apothecaries' garden. The Counsel then examined the witness particularly as to the worth of the several plants; as, what is *Banksia* worth? Witness said he did not know that it had roots; but he was desired to turn the plant out of the pot and see. Without doing this, however, he said, "Oh, I see "the cotyledon; it is a seedling, "and worth half-a-guinea." What is *Seerah Koah* worth? Answer, Ten shillings. What is *Jacquinia* worth? Answer, Seven shillings. What is *Eugenia* worth? Answer, Five shillings. What is *Gustavia* worth? Answer, Ten shillings. And the witness further swore, that the *Zamia Spiralis* and *Calamus Niger* were worth but half-a-crown each.

Re-examined by Mr. PHILLIPS. Said it was usual to put plants in places most congenial to them.

Mr. RIDGWAY, examined by Mr. PHILLIPS, and said, that Sweet has a work going on. He is not the Editor of the Botanical Register. Witness said that Sweet, the prisoner, had spoken of Mr. Eaton in his works; that he (witness) had sent packages to Sweet, without advice, for him to introduce in his publication; that sometimes the plants were damaged, and that Sweet then took care of them till they recovered; that he had known Sweet for six

years, and that he believed him to be an honourable, honest man, and one of extensive knowledge.

Cross-examined by Mr. ADOLPHUS. Witness had sent packages to the prisoner, Sweet, by his (witness's) son.

The witnesses to character were:

Mr. JOSEPH KNIGHT, of the King's Road, nurseryman, who, being examined by Mr. PHILLIPS, said that he had known the prisoner for eight or ten years, and that he believed him to be *an honest and honourable man*.

Mr. WILLIAM MALCOLM, of Kensington, nurseryman, said he had known the prisoner, Sweet, these fourteen years; and that *an honest man does not exist*.

Mr. THOMAS JENKINS, of the New Road, nurseryman, had employed the prisoner for five or six years as his foreman, and believed him to be *the best of characters*.

Mr. JAMES CAMERON, of the King's Road, nurseryman, had known the prisoner and his family for a number of years; believed the prisoner always *upright and honest*.

Mr. WILLIAM MILNE, of Fulham, nurseryman, had known the prisoner eight years, and thought him *an honest, creditable and clever man*.

Mr. REGINALD WHITLEY, Fulham, nurseryman, had known the prisoner fourteen or fifteen years. Prisoner was a *very excellent man*.

Mr. GEORGE LODDIGES, Hackney, nurseryman, had known Sweet for twelve years, and *never before heard a word, or knew one, against his honesty*.

Mr. JOHN FRAZER, Sloane Square, nurseryman, had known Sweet for six years, and thought him of *the best of characters*.

MR. SAMUEL BROOK, of Balls Pond, Nurseryman, had known Sweet for eight or ten years, and believed him a *scrupulously excellent character*. Here Mr. Alley observed that he had many other witnesses who could testify to good character, but he thought it unnecessary to trouble the Court any further.

The juror who recalled and examined a former witness, here requested to recall MR. WILLIAM MILNE, to whom, on his appearing again in the witness box, he put this question. "Is it the practice, at Kew, to supply plants and cuttings?" Answer. "I have had cuttings."

MR. MALCOLM was then recalled, and examined by the same juror. "Is it the practice, at Kew, to supply plants and cuttings?" Answer. "I never before heard that it was, and it is much to be lamented that so little liberality is observed at Kew."

The Judge then proceeded to sum up.

It gave him pain, his lordship said, that a man who had borne so respectable a character, a man to whom the public were, it appeared, indebted for works on Botany, should be placed under his present unhappy circumstances, with such strong proofs of guilt brought against him. Many gentlemen had come forward, (amongst whom were some persons that he, the judge, was acquainted with) to speak to the excellent character of the prisoner; and, certainly, no man could have been better supported in this respect, than the prisoner had been; but, it was not so much a question with the jury, how his character

had stood, as how it stood *at this time*. A short time ago, the present charge could be termed only a misdemeanor. The judge here defined the law, as belonging to this case, and desired the jury, if they should have any doubts as to the question of the prisoner's guilt, to give the prisoner the advantage of such doubts; observing, at the same time, that none of the points which had been urged in the prisoner's defence, nor of those included in the evidence brought forward, were sufficient to do away with those facts which were stated in the indictment, and which had been supported by the most unquestionable testimony. The judge read the indictment. His lordship said that there could be no doubt as to the *identity of the plants*, and, therefore, he would not trouble the jury with any further consideration of that point. The plants in court had been proved to be those plants which were stolen from Kew on the 28th January. We never, said the judge, meet with a man who is ready to acknowledge that he has received stolen goods, knowing them to be stolen. One of the gentlemen of the jury has, evidently from his manner, had *a previous knowledge of the case*; but, he must dismiss from his mind all bias: he must remember the solemn oath which he has taken, and he must suffer nothing, which has not been adduced in the shape of evidence here before us, to have any weight in the forming of his judgment upon the question of whether the prisoner be innocent or guilty. The judge noticed the report that had been made in court of there being a want of distribution of plants from Kew. However this

might be, his lordship said, with it the jury had nothing to do. His lordship, in reading over the evidence, commented at length upon some parts of it. An innocent man, he said, would naturally have offered to accompany the officer at once, and would have explained, whence the box came, and would have otherwise assisted the officer in his inquiry. But, the prisoner's conduct had, it appeared upon evidence, been very different from this. The prisoner, instead of facilitating the legal search of the officer, to which he, as an *innocent man*, could not possibly have had any objection, had, it appeared, evinced every disposition to place obstacles in the officer's path of duty. It had been asked, why did not the arrest of the master (MR. COLVILLE) take place; and the officer had been blamed; but this presented no extenuation in favour of the prisoner. Besides, the box, as the officer had explained, was directed to the prisoner, and not to MR. COLVILLE. The witnesses for the defence had stated what they were not competent to state: they had declared that the same kinds of plants that had been produced in court were to be found at MR. COLVILLE's, as well as at Kew. With regard to MR. ANDERSON's evidence, the judge observed, that this witness had evidently endeavoured to bring his valuation under *forty shillings*; but unfortunately for his arithmetical talent, he had, still, made it appear that the plants were of greater value. His valuation was, indeed, unworthy of criticism. This witness had spoken of *puzzles*: but the whole of his testimony was unintelligible to him

(the judge), and he left it, his lordship said, for the jury to *un-puzzle*. His lordship took a brief review of the case, marking out particular points for the attention of the jury. How would you have acted, said the judge to the gentlemen of the jury, if you had had the misfortune to have a box of stolen property directed to you, would you have required two minutes to determine what line of policy you ought to pursue, upon an officer appearing before you to inquire into the matter? The prisoner did not consent to accompany the officer until after the officer had threatened to take him into custody. He denied at first, and afterwards admitted, and then again denied. He threw every impediment, it must be remembered, in the way of discovery. The real box was not brought forth; the prisoner gave up only the direction which had been put upon the box, and he did this only to prevent the circumstance of its being *taken from him*. It was true that the plants had been situated in a conspicuous place; yet, it required a minute investigation, before the identical plants could be found. How would you, said his lordship, as honest men, have done in such a case? Would you not have said, "Yes, I have received such a box, and here it is?" COLVILLE tells the prisoner to hold his tongue, and the prisoner then perceives the intention, or scheme, of his master, and adopts it immediately, in the regulation of his own behaviour. It has been said that plants are often sent, without any advice, for publication; but, I ask the gentlemen cultivators in court, whether there be not a pride among them which

makes them anxious to have the credit of having discovered a new plant themselves, and, consequently, which makes them prefer that the plant should be *published under their own name* instead of the name of another. There has been, in the evidence, a great display made with regard to the *character* of the prisoner; but, those gentlemen who have been examined as to the character of the prisoner, and who are botanists, have not been asked the question of whether *any of them* have ever experienced such a thing as the receipt of plants under circumstances similar to those under which, as has been stated by one of the witnesses for the prisoner, it is common for botanists to *puzzle* one another. However I may lament, said the learned judge, the consequences of such a decision, I cannot but entertain fears that the prisoner is guilty of the offence laid to his charge. Every humane man must feel deeply pained; and, no one can feel more so than myself; yet, if you, gentlemen of the jury, believe the facts proved, I cannot see how you can arrive at any other conclusion than that of the prisoner's being guilty. But if you have any doubts, the very high character he has received ought to weigh in his favour. And yet, if the prisoner's conduct appears to you to be irreconcileable with the commendations of him that you have heard, those commendations ought, in your minds, to have not the slightest influence. With these observations for your direction, I leave the case in your hands, and I have no doubt but that you will decide it fairly.

The Verdict was, NOT GUILTY!

The trial commenced at a quarter after one o'clock, and the summing up of the judge was not concluded before six o'clock; and the jury took *an hour and a half* to consider of their verdict.

I shall make no comment. I leave commentary to the reader. I have not been able to get an authentic and official *list of the jury*; but, I shall do it yet; and then I will not fail to publish it.

WM. COBBETT.

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MARKETS.

An Account of all the different kinds of Grain, Meal, and Flour, remaining warehoused under 55 Geo. 3, c. 26, in the United Kingdom, upon the 5th Jan. 1824:—

	Qrs.	bush.
Barley	40,091	7
Beans	10,655	4½
Indian Corn..	1,248	4
Oats	152,351	5
Peas.....	6,558	2½
Rye	3,315	5½
Wheat.....	461,591	3
	Cwt.	lb.
Wheat-Meal and Flour	54,825	19

Average Prices of CORN throughout ENGLAND, for the week ending 6th March.

Per Quarter.	s.	d.
Wheat.....	65	7
Rye	44	5
Barley	36	9
Oats	25	5
Beans	40	11
Peas	39	11

Corn Exchange, Mark Lane.

Quantities and Prices of British Corn, &c. sold and delivered in this Market, during the week ended Saturday, 6th March.

Qrs.	£.	s.	d.	Qrs.	£.	s.	d.
Wheat..	5,354	for 18,135	5	3	Average,	67	8
Barley	4,371	....	8,462	0	11	....	38
Oats..	15,644	....	21,664	11	3	....	27
Rye,.....	—	—	—	—	—	—	—
Beans ..	2,344	....	4,996	3	6	....	42
Peas....	1,232	....	2,476	14	4	....	40

Friday, March 12.—The arrivals of all sorts of Grain this week are moderate, except of Oats, which is large. Wheat has sold heavily since Monday at no alteration in prices. Barley is at present scarce, and the prices remain much about as on Monday. Beans and Peas are unaltered. Oats sell very heavily,

and the prices of this article are hardly so good as Monday. Flour excessively dull.

Monday, March 15.—The arrivals of last week were good, particularly of Oats. This morning there are good quantities of Wheat, Barley, Beans, and Peas, fresh up from Essex and Kent, but not much from Suffolk and Norfolk. There are several more vessels fresh in with Oats. The trade for Flour continues in so stagnant a state, that the town Millers still purchase scarcely any Wheat, and the trade has in consequence thereof been very heavy, at a decline of 2s. per qr. from the prices of last Monday.

The Maltsters and Distillers purchased scarcely any Barley to-day and it has therefore declined in value from 1s. to 2s. per qr. Beans partake also of the general dulness, and they have given way in price 1s. to 2s. per quarter. Peas are also cheaper. The great and unexpected arrival of Irish Oats has panic-struck our buyers, and Oats are in consequence reduced 1s. to 2s. per quarter, with a considerable quantity left on hand unsold.

Prices on board Ship as under.

Wheat, red, (old)	66s.	to	73s.
——— white, (old)	52s.	—	80s.
——— red, (new)	46s.	—	52s.
——— fine	54s.	—	58s.
——— superfine	60s.	—	65s.
——— white, (new)	52s.	—	55s.
——— fine	57s.	—	65s.
——— superfine	68s.	—	70s.
Flour, per sack	60s.	—	65s.
——— Seconds	58s.	—	62s.
——— North Country	50s.	—	54s.

Price of Bread.—The price of the 4lb. Loaf is stated at 11d. by the full-priced Bakers.

ACCOUNT OF WHEAT, &c. ARRIVED IN THE PORT OF LONDON
From March 8 to March 13, both inclusive.

<i>Whence.</i>	Wheat.	Barley.	Malt.	Oats.	Beans.	Flour.
Aberdeen	450	....	....	700	....	....
Alemouth .....	....	50	....	940	....	....
Banff .....	....	....	....	371	....	....
Berwick .....	....	....	....	363	....	20
Bideford .....	....	....	....	868	....	....
Boston .....	....	....	....	2126	....	....
Bridlington .....	....	....	....	405	....	....
Bridport .....	....	200	18	....	....	....
Bristol .....	....	....	....	1000	....	....
Dartmouth .....	....	137	....	....	....	....
Dundee	100	....	....	80	....	....
Colchester } Essex	212	47	871	30	62	306
Harwich	884	385	801	16	60	744
Leigh	280	123	40	67	444	72
Maldon	619	510	....	73	638	419
Exeter .....	....	324	....	200	....	....
Gainsbro' .....	....	....	....	188	....	200
Hull .....	....	....	1157	1400	....	....
Ipswich	24	....	320	227	934	1104
Kent	2243	1082	....	....	....	....
Kidwelly .....	....	....	....	325	....	....
Louth .....	....	....	....	390	....	....
Lynn .....	....	....	....	83	....	18
Newhaven .....	....	....	....	....	....	150
Newcastle .....	....	....	....	....	....	240
Newport .....	....	....	....	....	....	....
Plymouth .....	....	200	....	904	....	....
Poole .....	....	....	....	....	....	....
Rye .....	....	....	....	....	....	12
Spalding .....	....	....	....	1049	....	40
Stockton .....	....	....	....	100	....	1250
Wells .....	....	....	....	....	....	....
Weymouth .....	....	290	139	....	....	....
Whitby .....	....	....	....	....	....	....
Wisbeach	111	....	....	2264	....	....
Woodbridge	50	100	....	....	15	70
Yarmouth	470	1534	1588	....	....	2638
Cork .....	....	....	....	4800	....	40
Dublin .....	....	....	....	930	....	....
Youghall .....	....	....	....	7160	....	....
Foreign .....	....	....	....	550	....	....
Total	6043	5042	4934	27609	2161	7653

Aggregate Quantity of other kinds of Pulse imported during the Week :

Rye, — ; Pease, 1140 ; Tares, 92 ; Linseed, 922 ; Rapeseed, 165 ;
Brank, 622 ; Mustard, 337 ; Flax, 50 ; and Seeds, 476 quarters.

SEEDS, &c.

Price on board Ship as under.

	s.	s.
Clover, red, Foreign per cwt	60	102
— white, ditto .. ditto ..	57	88
— red English, ditto ..	68	100
— white, ditto .. ditto ..	62	86
Rye Grass	per qr...	26
Turnip, new, white .. per bush.	10	12
— red & green .. ditto ..	10	16
— yellow Swedes ditto ..	9	11
Mustard, white	ditto ..	7
— brown	ditto ..	8
Caraway	per cwt	50
Coriander.....	ditto ..	10
Sanfoin.....	per qr...	30
Trefoil	per cwt	24
Ribgrass	ditto ..	35
Canary, common .. per qr...	38	40
— fine	ditto ..	42
Tares	per bush.	7
Hempseed	per qr...	40
Linseed for crushing		
Foreign	ditto ..	32
— fine English		
— for sowing	ditto ..	42
Rapeseed, 25 <i>l.</i> to 27 <i>l.</i> 10 <i>s.</i> per last.		50
Linseed Oil Cake, 11 <i>l.</i> per 1000		
Foreign ditto, 7 <i>l.</i>		
Rape Cake, 7 <i>l.</i> 0 <i>s.</i> per ton.		

Monday, March 15.—The arrivals from Ireland last week were 5,076 firkins of Butter, and 553 bales of Bacon; and from Foreign ports, 32 casks of Butter.

City, 17 March 1824.

BACON.

Bacon is advancing in price, and the speculators are very busy; but the steady part of the trade are doubtful as to the issue; whilst those who form their judgment from the known condition of the retailers, prognosticate more mischief from the present high prices, than has been experienced for many years past. They know, in

short, that the retailers, as a body, are making no profit.—On board, 52*s.* to 54*s.*—Landed, 54*s.* to 55*s.*

BUTTER.

Perhaps not one-eighth of the present heavy stock of Butter is in good condition: hence the great disproportion in the prices of that which bears the same name, and ought to bring the same price. It is altogether a losing game—for game it is.—Carlow, 80*s.* to 85*s.*—Waterford, or Dublin, 70*s.* to 76*s.*—Limerick, or Cork, 73*s.* to 75*s.*—Dutche, 104*s.* to 110*s.*

CHEESE

Remains nearly the same as last week.

SMITHFIELD, Monday, March 15.

Per Stone of 8 pounds (alive).

	s.	d.	s.	d.
Beef	3	4	4	4
Mutton.....	3	8	—	4
Veal	5	0	—	0
Pork.....	4	4	—	5

Beasts ... 2,704	Sheep ... 16,200
Calves 140	Pigs 220

NEWGATE (same day).

Per Stone of 8 pounds (dead).

	s.	d.	s.	d.
Beef	2	6	to	3
Mutton.....	2	10	—	3
Veal	3	8	—	5
Pork.....	3	6	—	5

LEADENHALL (same day).

Per Stone of 8 pounds (dead).

	s.	d.	s.	d.
Beef	2	4	to	3
Mutton.....	3	0	—	3
Veal	3	4	—	5
Pork.....	3	4	—	5

POTATOES.

SPITALFIELDS.—per Ton.

Ware	£ 2 5 to £ 3 15
Middlings.....	1 15 — 2 0
Chats.....	1 15 — 0 0
Common Red..	0 0 — 0 0

BOROUGH.—per Ton.

Ware.....	£ 2 10 to £ 3 15
Middlings.....	1 15 — 2 0
Chats.....	1 15 — 0 0
Common Red..	2 10 — 3 10

HAY and STRAW, per Load.

Smithfield.—Hay....65s. to 105s.
Straw...40s. to 45s.
Clover..90s. to 120s.

St. James's.—Hay....68s. to 114s.
Straw...39s. to 51s.
Clover..90s. to 120s.

Whitechapel.—Hay....80s. to 110s.
Straw...40s. to 48s.
Clover 100s. to 130s.

COUNTRY CORN MARKETS.

By the QUARTER, excepting where otherwise named; from Wednesday to Saturday last, inclusive.

The Scotch Markets are the Returns of the Week before.

	Wheat. s. to s. d.	Barley. s. to s. d.	Oats. s. to s. d.	Beans. s. to s. d.	Pease. s. to s. d.
Aylesbury	52 72 0	30 35 0	23 28 0	30 43 0	38 44 0
Banbury	58 68 0	32 34 6	23 28 0	36 40 0	0 0 0
Basingstoke.....	56 68 0	30 36 0	21 25 0	40 48 0	0 0 0
Chelmsford.....	60 74 0	35 39 0	24 32 0	34 44 0	34 38 0
Derby.....	60 80 0	32 44 0	22 32 0	36 56 0	0 0 0
Devizes	52 72 0	29 37 6	25 30 0	34 48 0	0 0 0
Dorchester.....	52 80 0	27 34 0	20 26 0	40 51 0	0 0 0
Exeter.....	54 72 0	28 36 0	21 24 0	40 44 0	0 0 0
Guildford.....	60 80 0	31 36 0	24 33 0	40 50 0	38 42 0
Henley	52 80 0	30 37 0	22 30 0	38 43 0	40 46 0
Horncastle.....	58 68 0	30 37 0	17 26 0	36 50 0	0 0 0
Hungerford.....	51 76 0	25 35 0	19 33 0	34 45 0	0 0 0
Lewes	60 66 0	37 39 0	23 27 0	38 40 0	0 0 0
Lynn	50 66 0	30 38 0	26 28 0	39 42 0	40 52 0
Newbury	48 75 0	28 36 0	21 33 0	38 46 0	36 40 0
Newcastle	52 74 0	42 44 0	23 30 0	40 44 0	42 51 0
Northampton.....	62 66 0	33 37 0	21 26 6	38 50 0	33 35 0
Nottingham	62 0 0	41 0 0	27 0 0	45 0 0	0 0 0
Reading	56 80 0	32 40 0	20 28 0	36 42 0	38 44 0
Sherborne	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
Stamford.....	60 70 0	36 42 0	20 32 0	38 52 0	0 0 0
Swansea	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
Truro	67 0 0	35 0 0	26 0 0	0 0 0	0 0 0
Uxbridge.....	54 80 0	33 39 0	23 32 0	34 42 0	34 43 0
Warminster.....	42 74 0	24 39 0	21 28 0	40 48 0	0 0 0
Winchester	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
Yarmouth.....	62 68 0	32 37 0	24 28 0	36 40 0	36 50 0
Dalkeith *	30 35 0	28 33 0	21 26 0	20 25 0	20 25 0
Haddington*	30 37 0	28 35 0	23 30 0	20 25 0	19 23 0

* Dalkeith and Haddington are given by the *boll*.—The Scotch *boll* for Wheat, Rye, Pease, and Beans, is three per cent. more than 4 bushels. The *boll* of Barley and Oats, is about 6 bushels Winchester, or as 6 to 8 compared with the English quarter.

Liverpool, March 9.—Owing to the favourable change of wind the importations of the past week have been considerable, and in consequence the prices of Grain and Flour were scarcely obtainable at the ratio last quoted; and at the market of this day so small a portion of business was effected, that we can scarcely make an alteration from the prices of last Tuesday, although it is probable that inferior Wheats might have been purchased about 3d. per bushel below the quotations of this day se'nnight, had the few buyers at market been disposed to make the offer.

Imported into Liverpool from the 2d to the 8th of March, 1824, inclusive:—Wheat, 12,066; Oats, 20,065; Barley, 3136; Malt, 4148; Beans, 1978; Peas, 1169; and Rye, 55 quarters. Flour, 3959 sacks, per 280 lbs. and 2280 barrels. Oatmeal, 680 packs, per 240 lbs.

Norwich, March 13.—An immense show of samples of all kinds of Grain, but the market was very dull, at prices a trifle lower than last week.

Bristol, March 13.—The markets here continue to be well supplied with Barley and Malt, both of which are rather lower. Wheat sells freely at the prices below:—Best Wheat from 9s. to 9s. 3d.; inferior ditto, 5s. 6d. to 7s. 3d.; Barley, 2s. 9d. to 4s. 9d.; Beans, 2s. 9d. to 5s. 6d.; Oats, 2s. to 3s. 6d.; and Malt, 4s. 6d. to 7s. 4d. per bushel. Flour, Seconds, 30s. to 54s. per bag.

Birmingham, March 11.—On this day se'nnight the price of Wheat advanced about 4d. per 60 lbs., and that of Barley 1s. per quarter. Old Beans were in good demand, and also New ones that were dry; the former scarce. Oats sold pretty freely, and Malt was in fair request. Flour stationary as to price, but a heavy sale. To-day the trade is generally dull, at the same prices as last week. Supplies are moderate. In consequence of wet weather, there is but little doing in Tares.—Wheat, 8s. to 8s. 6d. 8s. 8d., and 9s. per 60 lbs.; Barley, 34s. to 40s. and 41s.; Malt, 60s. to 64s.; and Oats, 26s. to 30s. per quarter; Beans, 16s. to 20s.; per ten scores; Peas, 40s. to 48s. per quarter; Fine Flour, 54s. to 67s.; Second ditto, 49s. to 50s. and 54s. per sack. Tares nominal.

Ipswich, March 13.—Our market to-day was not largely supplied, but the sale was extremely dull at lower prices, as follow:—Wheat, 56s. to 70s.; Barley, 31s. to 38s.; Beans, 40s. to 43s.; Peas, 35s. to 37s.; and Oats, 28s. to 30s. per quarter.

Boston, March 10.—The market has been very thinly supplied with samples. Wheat samples were quite dull in demand, and dry samples could only be got rid of, the merchants being very backward in purchasing, at the following prices:—Wheat, 60s. to 70s.; Oats, 19s. to 25s.; Barley, 35s. to 40s.; and Beans, 35s. to 42s. per quarter.

Wakefield, March 12.—We have a very short supply of all kinds of Grain up the river, but a large show by our farmers. Not having many buyers, and the London and Liverpool accounts being very dull, our market was heavy for all kinds of Grain; but no material alteration can be quoted in the prices of any one article.—Wheat, 64s. to 76s. per qr.; Mealing Oats, 15d. to 16d. per stone of 14 lbs.; Shelling, 38s. to 39s. per load of 261 lbs.; Barley, 40s. to 44s.; Beans, old and new, 48s. to 60s. 63 lbs. per bushel; Maple Peas, 58s. to 60s.; Tares, 60s. to 68s. per qr.; Malt, 46s. to 50s. per load of 6 bushels; Flour, 58s. to 60s. per sack of 280 lbs.; and Rapeseed, 32l. to 33l. per last.

Malton, March 13.—Our market was very busy to-day. Prices as follow:—Wheat, 72s. to 76s. per qr., five stone per bushel. Barley, 36s. to 42s. per quarter. Oats, 13d. to 14d. per stone.

AVERAGE PRICE OF CORN, sold in the Maritime Counties of England and Wales, for the Week ended March 6, 1824.

	<i>Wheat.</i>		<i>Barley.</i>		<i>Oats.</i>	
	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
London	68	3	39	4	27	3
Essex	66	9	38	1	27	1
Kent.....	66	11	38	5	27	8
Sussex.....	62	0	33	8	23	10
Suffolk.....	65	5	37	2	25	1
Cambridgeshire	61	11	35	10	22	4
Norfolk	63	6	35	10	25	3
Lincolnshire	64	10	36	7	25	8
Yorkshire	63	10	36	6	23	8
Durham	65	2	38	2	26	3
Northumberland	61	10	38	6	28	8
Cumberland	64	4	37	2	26	10
Westmoreland	62	11	37	0	27	4
Lancashire	70	5	36	0	29	8
Cheshire	65	7	45	3	26	0
Gloucestershire.....	63	4	35	4	25	0
Somersetshire	65	6	32	2	22	4
Monmouthshire	66	2	38	1	24	0
Devonshire	67	4	32	3	20	2
Cornwall	61	10	34	0	21	9
Dorsetshire	65	1	31	11	21	8
Hampshire	63	5	33	4	24	10
North Wales	70	3	39	8	21	2
South Wales	64	0	35	3	20	4

COUNTRY CATTLE AND MEAT MARKETS, &c.

Norwich Castle Meadow, March 13.—There was a pretty good show of lean drove Beasts, but owing to the high prices (4s. 6d. per stone of 14 lbs.) demanded by the Scotchmen, and the winterly weather experienced to-day, but few sales were effected; prime fat Scots fetched 7s. per stone. There was also a plenty of Sheep, but no appearance of buyers.

Horncastle, March 13.—Beef, 6s. to 6s. 6d. per stone of 14 lbs.; Mutton, 5d. to 6d.; Pork, 5d. to 6d.; and Veal, 7d. to 8d. per lb.

Malton, March 13.—Meat in the shambles:—Beef 5½d. to 6d.; Mutton 6d. to 6½d.; Pork 5d. to 6d.; and Veal 6d. to 7d. per lb. Butter, none sold. Bacon Sides, 6s. 3d. to 6s. 6d.; Hams, 7s. to 8s. 9d. per stone.

At Morpeth market on Wednesday, there was a good many Cattle and Sheep; there being few buyers, they met with rather dull sale: part of both were left unsold. Prices continue steady.—Beef from 5s. to 5s. 9d.; and Mutton 5s. 6d. to 6s. 6d. per stone, sinking offals.

At Wakefield Cattle Market last week, there was an excellent show both of Beasts and Sheep; but the attendance of buyers being but small, the price of Mutton was rather lower than at the preceding market; but that of Beef without variation. There were many Beasts and Sheep remained unsold.—Beasts, 560; Sheep, 10,600.

Skipton Fortnight Fair, March 9.—Our fair to-day was well supplied with fat Beasts and Sheep; there were a number of buyers, and little alteration in prices.

Bristol March Fair commenced on the 1st inst. when there was a large show of Cattle:—Fat Beasts fetched from 50s. to 55s. per cwt. Lean Beasts were in great demand, and sold briskly. Good Horses went very high, and were eagerly bought up for the London markets.

At Shrewsbury Monthly Fair last week, there was but a small supply of fat Sheep, which were nearly all sold, at from 5d. to 6d. per lb. Of fat Cattle there was a large show; they fetched from 5d. to 5½d. per lb.; fresh store Bullocks sold well; small Sheep, as well as small choice Cattle, sold a halfpenny per lb. higher than large ones. Pigs obtained about the same as at last fair. There was a small supply of Butter, and a great many buyers: lumps, 9d. to 9½d.; tubs, 9½d. to 10½d. per lb. Of Cheese there was a good supply, and nearly all sold: skim, 42s. to 46s.; middling dairies, 52s. to 57s.; best dairies, 58s. to 65s. per cwt. Bacon, 6d. to 7d.: Hams, 7d.

Tewkesbury Fair, on Monday last, was very plentifully supplied with fine fat Cattle; the dealers, however, being unwilling to give the prices demanded by the farmers, little business was in consequence done. The average price of Beef was 4½d. per lb.; some very fine fat Beasts fetched 5d., and for inferior only 4d. could be obtained.

Price of HOPS, per Cwt. in the BOROUGH.

Monday, March 15.—There has been more enquiry for Hops the last few days from the country, which, in many parts, are getting low in stock. Currency remains the same, though an improvement is expected. The injury the bines have received from the late blight is more generally confirmed; cuttings cannot be had to make up the deficiency.—It is reported that the Hop duty for the year 1822 is to be remitted one half, provided the other moiety is paid in due course.

Maidstone, March 11.—We have nothing to observe from the accounts last week. The trade as to

Hops appears quite at a stand, and we expect will continue so for some time to come.

COTTON MARKET.

Friday, March 12.—We can notice no alteration in our Cotton market this week; the business done has been limited to a few country orders, with some demand for shipment; about 600 bales is the extent of the sales, at steady prices.

COAL MARKET, March 12.

<i>Ships at Market.</i>	<i>Ships sold.</i>	<i>Price.</i>
25½ Newcastle	17	34s. 0d. to 41s. 0d.
13 Sunderland	13	34s. 6d.—43s. 3d.